

08 Cr 466

**U.S. Pretrial Services
Southern District of New York
M E M O R A N D U M**

DATE: June 25, 2008

TO: Honorable James C. Francis, IV
U.S. Magistrate Judge

FROM: Edward Santos
U.S. Pretrial Services Officer

SUBJECT: Larry Noble
08 Cr. 466
VIOLATION OF RELEASE CONDITIONS

Bail hearing
shall be held
in SA before
the Hon. Magistrate
July 26, 2008

On March 4th and March 20, 2008, the attached memorandums were forwarded to advise Magistrate Judge Ronald L. Ellis of the defendant's adjustment to pretrial release and to request the court's direction as to how to proceed. Judge Ellis indicated that the issue of non-compliance can be revisited once the defendant had completed the in-patient drug treatment program.

Pretrial Services notes that, since the date of the last memorandum, a misdemeanor information was filed on May 23, 2008. According to Jason Smith, Assistant U.S. Attorney, the defendant is scheduled for a plea hearing on June 18, 2008.

Pretrial Services further notes that the defendant's two pending state cases (both of which occurred during the supervision period) are scheduled in state court in New York County on July 21, 2008.

An updated criminal record check conducted on June 16, 2008 revealed no other arrests during the supervision period.

The defendant completed a 60 day in-patient drug treatment program on May 8, 2008. The defendant was then referred to Daytop Village, an outpatient drug treatment

Page 2

Re: Larry Noble
June 16, 2008

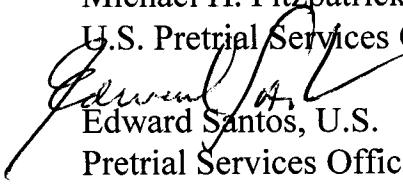
program, on May 13, 2008 and has failed to attend the program since June 10, 2006. The defendant has missed counseling sessions on June 12th and June 19, 2008.

Pretrial Services notes that urinalyses conducted on May 22nd, May 29th and June 2, 2008 proved negative for all drugs tested. However, urinalyses conducted on June 12th and June 17, 2008 proved positive for marijuana.

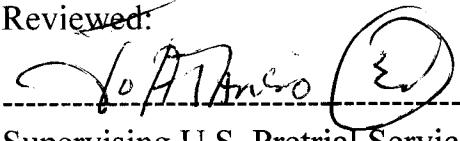
The recent positive urinalysis, failure to attend the drug treatment program and history of non-compliance during the period of pretrial supervision suggests that he is unwilling to comply with court ordered bail conditions. Therefore, Pretrial Services recommends that a bail hearing be held before Your Honor and that the defendant's bail be revoked pending sentencing.

Respectfully,

Michael H. Fitzpatrick, Chief
U.S. Pretrial Services Officer


Edward Santos, U.S.
Pretrial Services Officer

Reviewed:



Supervising U.S. Pretrial Services Officer

cc: Jason Smith, Assistant U.S. Attorney
Robert Baum, Defense Attorney